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THE
C A S E
O F

Richard Bromley,

As to his being Concern'd in City Affairs :

Humbly Offer'd

To the Consideration of the Lord Mayor, Aldermen and Common-Council ; In Answer to the Reflections of Colonel Peirce.

THAT the 29th of May, 1696. a Committee of Common-Council being appointed to consider of the Abuses committed by the Farmers of the Markets, I was employed by them to prosecute Mr. Burdit, one of the said Farmers for Extortion, who upon a Tryal before the Lord Chief Justice ~~was~~ was convicted for the same; And the said Committee having the 26th of July next following made a Report to the Common-Council of their Proceedings in those Matters the said Court Referred by their Order then made; all Matters in Difference between the City and the said Farmers, touching an Arrear of Rent of about Five Thousand Pounds, and Five Hundred Pounds *per Annum* for the remaining time of the said Farmers Lease, which was about Nine Years then to come; in which Business I was likewise Employed by the same Committee, and was Instrumental in the Recovery of the said Rent, which amounted in the whole to about Nine Thousand Pounds: Unto which Management is owing the late Improvement of the said Farm, in the Advancement of the Rent from 3600, unto 4350 *l. per Annum*, besides Ten Thousand Pounds Fine. And the said Committee having settled all Matters as to the Markets in the Year 1697, and made a Report thereof unto the Common-Council. The said Court referred to the same Committee the Business of the City Beams, to consider how the same might be made Beneficial unto the City. And I being Employed in that Matter also, took great Pains therein, in Searching the City Books, to set out their Title, and in attending Council with a State of the Case, and in getting a New ACT of Common-Council, &c. But whilst these Things were Transacting, one Mr. Fawson, an Under-Weigher or Porter belonging to the Iron-Beam died, whose Place Sir Humphry Edwin, the then Lord Mayor, sold unto Mr. Charles Booth for his Kinsman, for about Two Hundred Pounds; And the said Mr. Booth likewise Purchased another Under-Weighers Place of one Mr. Wayte, for about the like Sum, but the same coming to the Knowledge of the Committee, they Opposed his Lordship's getting them admitted into the said Place, by the Court of Aldermen: Such Sales and Admissions being against an ACT of Common-Council, made the 13th of May, 1681. Sir Patient Ward Mayor, but Sir Humphry having got the Money

Money into his Hands, was unwilling to part with it, and used his Endeavour to obstruct all he could the passing the BILL about the Beams, until he had got his Men admitted, and the utmost the Committee could get of him, was, that the said Officers should in their Admissions, Covenant upon their being Re-paid their Purchase-Money, surrender up the Grant under which they held, (as was done in the CASE of Mr. Carlton and Mr. Pretyman, who were Admitted in the Year 1694. and whose Discharge cost the City Seven Hundred Pounds, besides Law-Charges, and Abatement of Rent in the Case of the late Farmers of the Beams.) And this way of Admission being not only contrary to the aforesaid ACT, but was like to cost the City Four Hundred Pounds if it went on. To prevent which, I with the Privy of some of the said Committee, got Printed an Abstract of the said ACT, with the Abstract of the Oaths of an Alderman, a Freeman and Common-Council-Man. And some Queries and Reflections made thereupon, which were as followeth, viz.

By an ACT of Common-Council, made the 1st of May, 1681. Ward Mayor.

It is amongst other Things Enacted, That the Chamberlain of this City, for the time being, shall from henceforth pay unto the Lord Mayor of the City of London, for the time being, the Sum of 40 l. per Annum out of the Profits of the King's Beams, in Consideration of the Advantages, &c. formerly accruing to the Lord Mayors of this City, and that all other Profits to be made and raised out of the Duties of the said Beams (all necessary Charges being first deducted) shall wholly be to the Use of the Mayor and Commonalty, and Citizens of this City, to be paid and accounted for accordingly, to the Chamberlain of the said City, for the time being, and to no other Use or Purpose whatsoever: And all other Acts of Common-Council repugnant hereunto, are by the said Act Repealed, Annulled, and made Void, to all Intents and Purposes whatsoever.

Every Alderman being an Officer of Trust, and obliged by an Oath to give good and lawful Counsel for the common Profit of the City, and to Keep and Maintain the Laws and Franchises thereof.

Q. 1. Whether since the making the said Law for the Lord Mayor and Aldermen, to grant the Fees and Profits of the said Beams (being an Incumbent of the City) to any person or Persons, unless for a valuable Consideration to the Use of the Mayor and Commonalty, be not a Breach of Trust, and Repugnant to the Act aforesaid?

Every Freeman of this City of London, upon his Admission, amongst other things, Swears to maintain and keep harmless the Franchises and Customs thereof, as much as in him is; and to Colour no Foreign Goods under, or in his Name, whereby the King, or this City, may lose their Customs or Advantages, &c.

Q. 2. Whether those Freemen, who by Assignment, or Partnership, or otherwise, colour Foreign Goods, whereby this City is defrauded of its Customs, be not Violators of the Faith and Oath they have given to this City?

Q. 3. Whether they who are guilty of any of the Practices aforesaid, are not Punishable for the same, though no New Law should be made for that Purpose?

Note, That besides the Obligation of the Oath of a Freeman, as aforesaid, Every Common-Council-Man is Sworn to give good and true Counsel in all Things, touching the Commonwealth of this City, after his Wit and Cunning. And that for Favour of any Person, he will maintain no singular Profit against the Common Profit of this City, &c.

Q. 4. Whether any Persons, who slight or regard not the Obligations they are under, by their taking the aforesaid Oaths, can either be good Magistrates, Senators or Citizens?

This Paper I gave unto the said Lord Mayor and Aldermen, as they went into Court, and it had the Effect I design'd it for, in keeping Mr. Booth and his Kinsman from being admitted into the said Offices, and consequently saved the City Four Hundred Pounds; but the said Court were very Severe upon me, and without hearing what I had to say for my self, made the following Order upon me, as 'tis Published by Colonel Peirce, as his Answer to my Affidavit.

Edwin

Edwin Mayor.

Jovis xv. Die Sep. 1698. Annoq; Wilhelmi Tertij Anglⁱ &c. Decimo.

This Court taking Notice, That Richard Bromley hath Printed and Published several Malicious and Libellous Papers, reflecting upon the Government and Magistracy of this City, which are both false and Scandalous: It is Agreed and Ordered, That the said Richard Bromley shall not for the future be Employed by this Court, or Court of Common-Council, or by any Committee of either, nor be admitted to inspect any Books or Records in any of the Offices of this City, nor be any ways Employed or Concerned in the Business of the same.

Ashhurst.

This I thought an unkind Treatment after all my faithful and signal Services done for the City. And if in this Particular Instance my Zeal did exceed my Discretion in exposing my self to the Anger and Censure of the Court of Aldermen; yet I did not herein go beyond the Bounds of Truth, nor had or could have any other End or Design in it, than for the Benefit and Service of the City; and therefore might have Challenged a more Favourable Construction. The said Committee had an other Opinion of me, and were so well satisfied with my Service done for the City, that they out of their own Generosity (without any Application of mine) gave me One Hundred Guineas, and some of them thought I deserved a far greater Reward. And I was Employed by them in City Business long after this Order was made, until such Time as the City Beams were Lett to Farm, and the said Committee discontinued.

The Lord Mayors may hereafter again sell the Coal and Corn-Meeters Place, and the Court of Aldermen grant away the Fees and Profits thereof, notwithstanding the late ACT of Common-Council to the contrary, with the same Reason and Justice as they could Grant away from the City the Fees and Profits of the Common Beams, since the making of the aforesaid ACT in the Year 1661. And therefore the setting forth these Matters in a due Light, can never be adjudged Scandalous, Malicious or Criminal by any Good Magistrate or Citizen, which is all Colonel Peirce hath to Alledge or Charge against me. He takes no Notice of his Endeavouring to defeat the City of 800 *l. per Annum* Rent, in the Business of the Scavage, by a Present of a Thousand Guineas to Sir Henry Tulse, nor of the Nineteen Guineas he hath promised me upon the Confirmation of his Contract with the Committee. What he saith as to the Guinea he gave me is false.

Note, That the said Committee not only Recover'd from the Farmers of the Markets the full Rents reserved in their Lease, and Relieved the Market People that were then Oppressed: But got an Award, founded upon a Rule of the Court of *Queen's-Bench*, made by the Honourable Sir *Nathan Wright*, the now Lord Keeper, and Sir *Bartholomew Shower*, with the Approbation of the Lord Chief Justice *Holt*; by which all Matters in Difference between the City Farmers and the Market People are Regulated for the future, which Award his Lordship commended to be Inrolled at *Guild-Hall*. Which if it had been done, and were duly observed, would be of great Use to the City, and Market People.

Thus have I set forth a short State of my CASE in Reference to my Service done for the City, and the different Treatment I have met with: All which I submit to the Wisdom and Justice of this Honourable Court.